

**III. PRIORITY JUVENILE JUSTICE
PROBLEM STATEMENTS &
PROGRAM DESCRIPTIONS**

TABLE OF CONTENTS
PRIORITY JUVENILE JUSTICE PROBLEM STATEMENTS
AND PROGRAM DESCRIPTIONS

	PAGE
PROBLEM STATEMENTS	
Alternatives to Detention	2
Aftercare/Reentry	3
Disproportionate Minority Contact	4
Mental Health Needs of Juvenile Offenders	5
Sex Offenders	5
Legal Representation of Juveniles	7
Young Juvenile Offenders	8
Access to Services for Juveniles in Rural Areas	9
Truancy	10
Gangs	11
PROGRAM DESCRIPTIONS	
Alternatives to Detention	12
Young Juvenile Offenders	15
Truancy	18
Planning and Administration	21
State Advisory Group	24

PRIORITIZED JUVENILE JUSTICE PROBLEM STATEMENTS¹

Changes to the priorities since the Three-Year Plan

1. Alternatives to Detention (old #2 and #6)
2. Aftercare/Reentry (new)
3. Disproportionate Minority Contact (old #4)
4. Mental Health Needs of Juvenile Offenders (old #5)
5. Sex Offenders (old #9)
6. Legal Representation of Juveniles (old #3)
7. Young Juvenile Offenders (old #1)
8. Access to Services for Juveniles in Rural Areas (old#7)
9. Truancy (old #8)
10. Gangs (new)

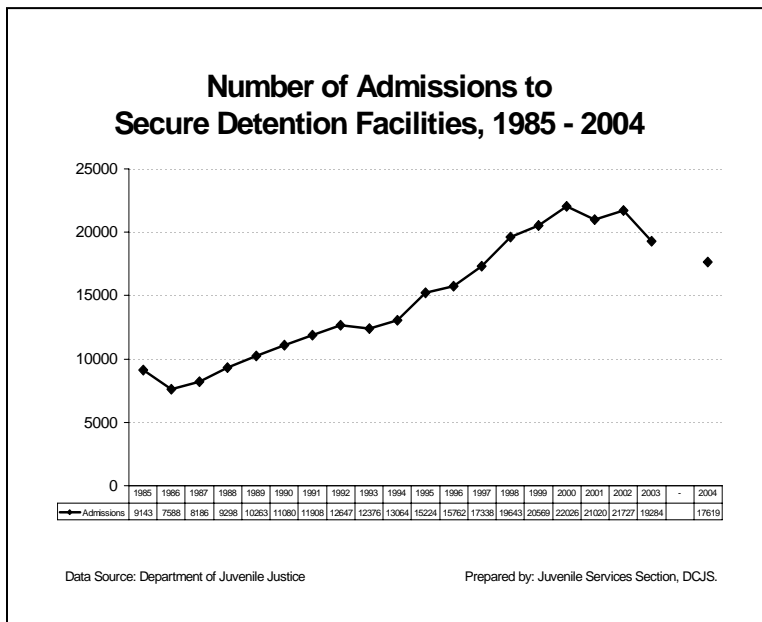
UPDATED PRIORITIES

At their October, 2004 retreat, the Advisory Committee on Juvenile Justice approved changes to juvenile justice priorities for the 2005 fiscal year. Two new priorities were added: aftercare/reentry and gangs. Aftercare/reentry is a priority because of the high recidivism rates of juveniles released from Virginia's juvenile correctional centers. Aftercare/reentry has been a funding priority under the Juvenile Accountability Block Grant for several years. The issue of gangs has become a topical issue in Virginia. It has become a priority for our sister agency, the Department of Juvenile Justice.

Other priorities were reordered as indicated. Two priorities, number of juveniles in secure detention and number of juveniles in secure detention for technical violations, were combined. Because there were substantive changes in the priorities and their ordering, the problem statements have been rewritten for this Update.

¹ "old" number indicates placement in the Three Year Plan

1. ALTERNATIVES TO DETENTION



Why are we putting so many juveniles in secure detention? In 2004, there were over 17,000² admissions of juveniles to secure detention facilities in Virginia. This represents 10,926 children of whom about 70% were admitted once and the rest multiple times during the fiscal year. In comparison, there were less than 1,100 commitments to juvenile correctional centers. The disparity in numbers suggests that more children may be detained than is necessary for public safety,

to prevent absconding or for other circumstances as permitted by the Code of Virginia³.

Most admissions to secure detention facilities are predispositional -- in 2004, 77%. Those children have not been adjudicated delinquent, or as children in need of services or supervision (CHINS or CHINSup).

It is known that detention is harmful for low-risk offenders⁴; it exposes them to delinquent peers and that exposure is a predictor of delinquency⁵. A large percentage of children in secure detention facilities are held for technical violations such as probation or parole violations. They have not committed a new offense.

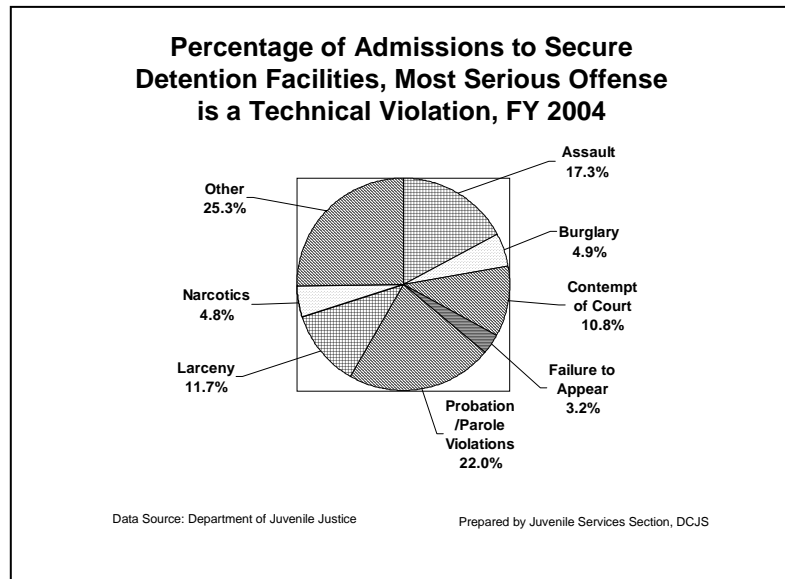
² In 2004, the Department of Juvenile Justice changed the computing basis of number of admissions so that weekend admissions are counted only once. For 2002 and 2003 revised counts (not shown here), decreased the admission count by 2-3%. Because of this, admissions for 2004 are not directly comparable to previous years admissions. However, because the difference is expected to be slight, the 20-year trend is depicted graphically.

³ §16.1-248.1

⁴ Bell, James. Presentation at the Virginia Department of Juvenile Justice Disproportionate Minority Contact conference, Crystal City, Virginia. June 28, 2004.

⁵ Hawkins, J., Herrenkohl, T., Farrington, D., Brewer, D., Catalano, R., Harachi, T., & Cothorn, L. (2000). *Predictors of youth violence*. Juvenile Justice Bulletin. Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

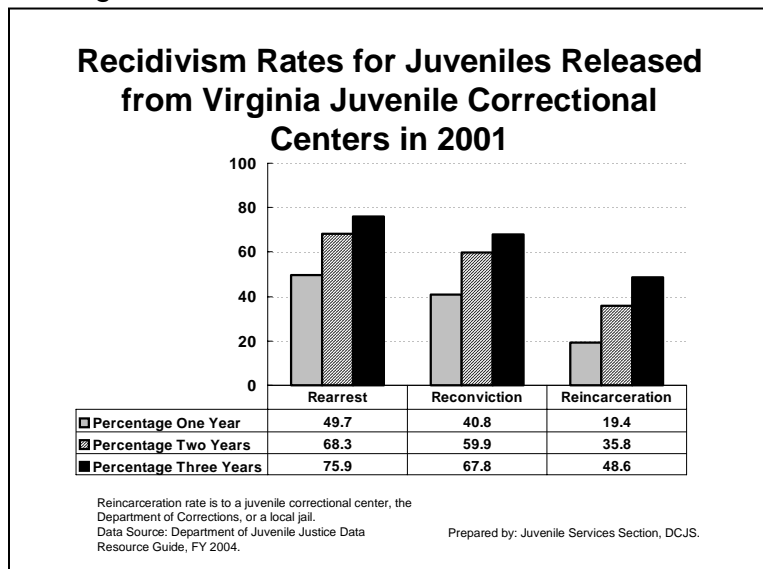
In FY2004, for 22% of admissions to secure detention facilities, the most serious offense was a probation or parole violation. For another 11%, the most serious offense was contempt of court. These are technical violations. Together they represent one-third of admissions to secure detention facilities. The percentages are unchanged from 2003.



Detention is expensive. The average cost per day per child in Virginia for FY 2005 is \$165.89⁶, which computes to \$60,550 per year.

2. AFTERCARE/REENTRY

Recidivism rates for juveniles released from Virginia's juvenile correctional centers are high. The chart shows re-arrest, reconviction, and re-incarceration rates for juveniles released from Virginia juvenile correctional facilities in 2001. As the chart shows, re-arrest rates are over 75% after 3 years and re-incarceration rates are almost half.



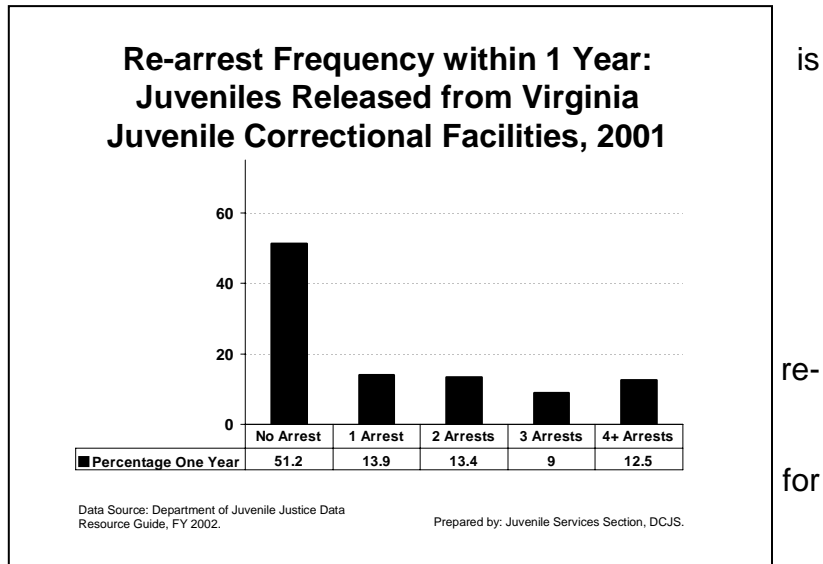
As the chart shows, re-arrest rates are over 75% after 3 years and re-incarceration rates are almost half.

Data are available that show that a relatively small proportion of offenders could be described as chronic offenders and account for a large portion of re-arrests.

⁶ Data provided by Virginia Department of Juvenile Justice, January 31, 2005.

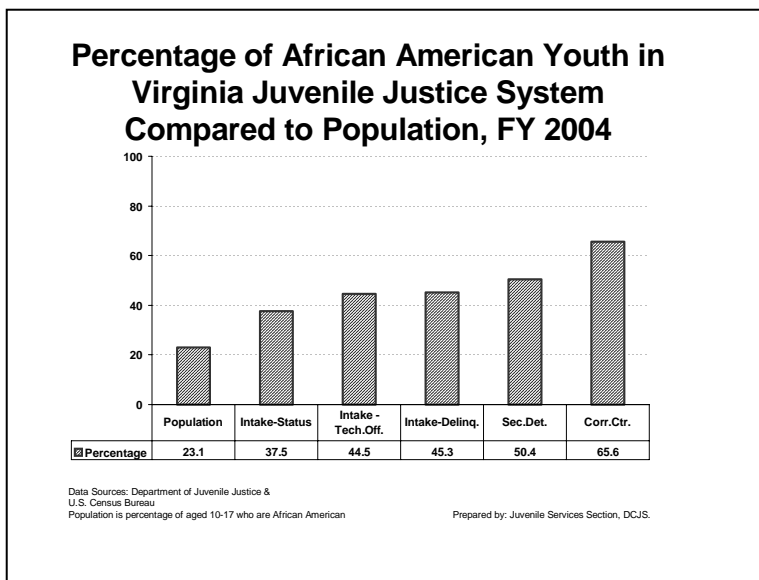
The following chart shows the re-arrest frequency for juveniles released from a juvenile correctional facility in 2001 and rearrested within one year. This represents 1,374 cases. About half, 700 or so, is not re-arrested. The other half re-arrested.

About 1/8 of the cases, or about 170 juveniles, have four or more arrests within the first year. Those juveniles were responsible for 48.2%, almost half, of the total arrests. Thus a relatively small portion of juvenile offenders is responsible a disproportionate amount of juvenile crime.



Incarceration in a juvenile correctional facility is expensive. In 2004, the annual per capita cost was \$79,355⁷, which includes \$15,866 Department of Correctional Education per capita cost. Most juveniles are held in correctional centers for 1-2 years. Given the recidivism data, attention is needed to better reintegrate them back into their communities.

3. DISPROPORTIONATE MINORITY REPRESENTATION IN THE JUVENILE JUSTICE SYSTEM



African American youth are over-represented throughout the juvenile justice system, relative to their percentage in the juvenile population.

African American youth constitute just 23% of the juvenile population, but 38% of intake status offenders, 45% of intake technical and delinquent offenders, 50% of secure detention admissions,

⁷ Virginia Department of Juvenile Justice (2004), *Data Resource Guide: Fiscal Year 2004* (p.186). Richmond, Virginia.

and 66% of admissions to juvenile correctional facilities. Thus, as one moves deeper into the juvenile justice system, the percentage of African American youth increases.

More information about this issue, and Virginia's actions taken to address it, are contained in the Disproportionate Minority Contact Plan.

4. MENTAL HEALTH NEEDS OF JUVENILE OFFENDERS

Many children in Virginia's juvenile justice system have demonstrated mental health needs. Children may be referred to juvenile court because a judge can order treatment in the community that the child would not receive otherwise.

It has been suggested that mental illness is being criminalized, that the juvenile justice system is being used as an alternative treatment resource for children with mental health needs. A report of the American Bar Association recommends,

The Commonwealth should address the increase in mental health and school-related referrals to juvenile court and evaluate their appropriateness, especially as this impacts minority youth.⁸

In a 2001 survey⁹ of juvenile justice professionals, including staff of court service units and members of the judiciary, offenders with mental health problems was one of the highest ranked items.

An analysis of juveniles committed to the State's correctional facilities¹⁰ indicated that, in 2003, 23% of males and 42% of females had a history of prior psychiatric hospitalization.

5. SEX OFFENDERS

Juvenile sex offenders are a population of concern. They pose a risk to public safety. Some are committed to the Department of Juvenile Justice and treated in Virginia juvenile correctional centers. Some are treated in the community. Sex offenders have multiple treatment needs and require specialized aftercare and supervision in the community.

⁸ American Bar Association Juvenile Justice Center & Mid-Atlantic Juvenile Defender Center (2002). *Virginia: An Assessment of access to counsel and quality of representation in delinquency proceedings*. Washington, D.C.: American Bar Association.

⁹ Virginia Department of Criminal Justice Services, Juvenile Services Section (2001). *Juvenile Accountability and Incentive Block Grant (JAIBG) Survey*. Richmond, VA

¹⁰ Waite, D., & Neff, J. (2004). *Profiles of Incarcerated Adolescents in Virginia's Correctional Facilities, Fiscal years 1999-2003*. Richmond, VA, Virginia Department of Juvenile Justice.

As the graph shows, one-quarter of children committed to juvenile correctional centers for sexual assault are aged 14 and younger.

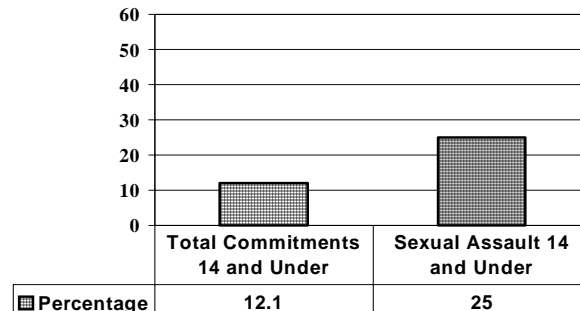
It is critical that these children be treated early. The national Center for Sex Offender Management asserts that juvenile sex offenders are *profoundly different from their adult counterparts*. The majority of juvenile sex offenders responds well to treatment

and is not destined to become adult sex offenders¹¹. Virginia research supports the efficacy of treatment for juvenile sex offenders. Research funded by a DCJS JABG grant indicates that the rate of sex offense re-arrest for juvenile sex offenders who have completed sex offender treatment in Virginia juvenile correctional centers, is about 7% within ten years¹². Their 10-year re-arrest rates for other offenses are 52% for person offenses and 18% for property offenses. These rates are all below the 3-year 76% re-arrest rate for the juvenile correctional center population released in 2001¹³.

The cost to treat a youth in a juvenile correctional center is about \$79,000 per year¹⁴, which includes treatment and education. Costs for treatment of sex offenders are higher because they are usually housed in smaller units and there is a lower staff to youth ratio. The average stay for sex offenders is 2 years.

The causes of juvenile sex offending are not yet well understood; much of the research done has not been scientifically rigorous. The Center for Sex Offender Management suggests that exposure to aggressive role models is linked to juvenile sex offending and that child maltreatment may eventually prove to be a significant predictor, although the evidence is not yet conclusive¹⁴. These problems are not easily remedied.

Percentage of Children Committed to Correctional Centers for Sexual Assault who are Aged 14 & Younger, FY 2004



Data Source: Department of Juvenile Justice

Prepared by Juvenile Services Section, DCJS

¹¹ Center for Sex Offender Management. (2002) *An overview of sex offender management*. Silver Spring, MD: Center for Sex Offender Management. (available online at www.csom.org).

¹² Pinkerton, R. (June, 2003). *Juvenile sex offenders: Current treatment techniques and recidivism data*. Presentation at the Juvenile Justice and Delinquency Prevention Conference, Williamsburg, VA.

¹³, ¹⁴ Virginia Department of Juvenile Justice, *Data resource guide, FY 2004*.

¹⁴ Center for Sex Offender Management (1999). *Understanding juvenile sexual offending behavior: Emerging research, treatment approaches and management practices*. Silver Spring, MD: Center for Sex Offender Management.

6. LEGAL REPRESENTATION OF JUVENILES

The American Bar Association and the Mid-Atlantic Defender Center has published a report about the legal representation of juveniles in Virginia¹⁵ that pointed to a number of inadequacies in the current system.

According to the report, access to legal counsel and quality representation in delinquency proceedings is lacking in Virginia.

This assessment reveals significant gaps in indigent defense practices, including flaws in the appointment process, lack of time and resources to adequately prepare a case, a tendency to accept plea offers rather than aggressively protect the rights and needs of children and the near absence of any post-dispositional legal representation. The system, as it is presently structured, is, at best, uneven, and clearly has had a disproportionate impact on poor and minority children. (page 1).

In Virginia, counsel is not appointed until the detention hearing¹⁶. The practice is that only retained private counsel participates at arrest, intake, and initial detention hearings. When a decision is made to detain a child who has not been represented, the court must provide an opportunity for review of the decision after counsel has been secured. Inadequate advocacy early in the delinquency hearing process may impact outcomes for the children involved. They are less likely to have someone fight for needed services and less likely to have someone advocate to keep them out of secure detention facilities.

There is a lack of available juvenile counsel. The report indicates that indigent children in jurisdictions served by public defenders fared better than those in jurisdictions without public defenders where court-appointed attorneys represent juveniles. In Virginia, there are no designated Public Defender offices in 110 of the 135 counties and in 28 of the 48 independent cities. Thus, most jurisdictions in Virginia use the court-appointed system for juvenile representation.

The report also suggests that some juvenile counsel are untrained, inexperienced, unprofessional, and incompetent. Compensation for court-appointed counsel is low -- \$112 to see a child's case through the delinquency system¹⁷ and service in the

¹⁵ American Bar Association Juvenile Justice Center & Mid-Atlantic Juvenile Defender Center (2002). *Virginia: An Assessment of access to counsel and quality of representation in delinquency proceedings*. Washington, D.C.: American Bar Association.

¹⁶ In the 2004 General Assembly, HB600 was passed amending the *Code of Virginia*, §16.1-250, effective July 1, 2005, requiring the appointment of an attorney for a child prior to a detention hearing. In the 2005 General Assembly, HB2670 slightly modified that provision.

¹⁷ Virginia Code, Ann §§16.1-267, 19.2-163. ¹⁸ American Bar Association Juvenile Justice Center & Mid-Atlantic Juvenile Defender Center (2002). *Virginia: An Assessment of access to counsel and quality of representation in delinquency proceedings*. Washington, D.C.: American Bar Association.

Juvenile and Domestic Relations Court is seen as a training ground with low status rather than an end in itself¹⁸.

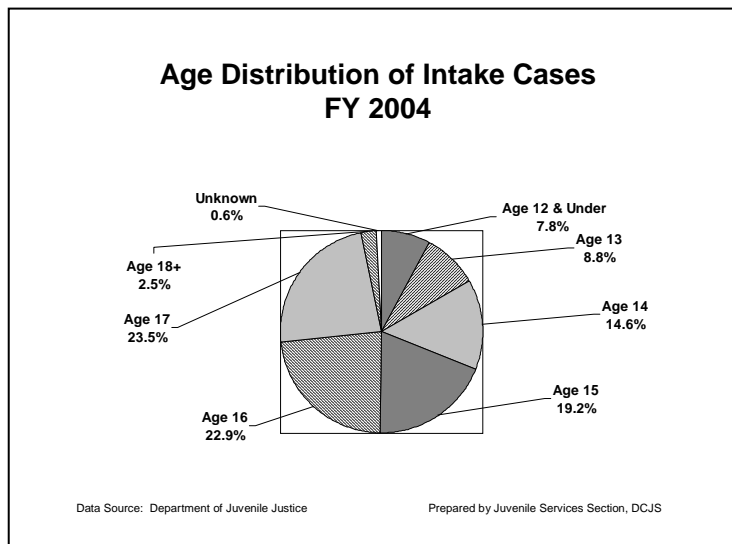
In the 2004 legislative session, HB600 required the appointment of counsel prior to the detention hearing. This bill passed and amends the Virginia Code¹⁹ effective July 1, 2005. In the 2005 legislative session, HB 2670 modified the provisions of HB600 bill so that only those youth charged with felony offenses cannot waive representation by an attorney without consultation with an attorney. With legislation that provides for counsel earlier in the process, it is anticipated that fewer juveniles will be detained predispositionally.

New legislation was enacted in 2004 expanding the responsibility of the Public Defender Commission to include court-appointed counsel for indigent clients and renaming it the *Indigent Defense Commission*²⁰. The expanded responsibility includes enforcing qualification standards for attorneys seeking to become court-appointed counsel, developing training courses, and developing standards of conduct. Training responsibilities include providing additional training on representing juveniles to attorneys seeking to qualify as counsel in juvenile and domestic relations district court²¹.

7. YOUNG JUVENILE OFFENDERS

Statement of the Issue

Research has shown that a juvenile offense at ages 6-11 is the strongest predictor of subsequent violent or serious delinquency even if the offense did not involve violence²². It is the second strongest predictor for the age 12-14 group. The number of young children having contact with the juvenile justice system has been a concern to DCJS for several years.



¹⁹ Virginia Code, Ann. §16.1-266B

²⁰ Virginia Code, Ann. §19.2-163.01

²¹ Virginia Code, Ann. §19.2-163.01.

²² Hawkins, J., Herrenkohl, T., Farrington, D., Brewer, D., Catalano, R., Harachi, T., & Cothorn, L. (2000). *Predictors of youth violence*. Juvenile Justice Bulletin. Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

As shown in the graph, children aged 13 and younger represent about one-sixth – 16.6% -- of children brought to intake for delinquent and status offenses and technical violations.

The number of juvenile offenders aged 13 and younger coming before the courts now constitutes a large portion of the intake population. In 2004, as in 2003, about 63,000 children were brought to intake for delinquent, technical and status offenses. Over 10,000 were aged 13 and younger. These children are not just being brought to intake, but are also being admitted to secure detention facilities. In 2004, about 8.5%, 1,500 of the 18,000 secure detention admissions, were 13 years of age or younger.

Recent Virginia data confirm the pattern of offenses at a young age leading to later more serious delinquency. Of children committed to the Department of Juvenile Justice in 2003, almost three-fourths (73.5%) were first adjudicated at age 14 or younger²³.

8. AVAILABILITY OF SERVICES IN RURAL AREAS

Access to services for juveniles who have had contact with the juvenile justice system is inconsistent across the state. With few exceptions, rural areas have fewer services available to the people in their communities.

Although the number of children who need services is lower in rural areas, the lack of available local services is problematic. This is particularly true for accessing specialized services for subgroups of youth, such as substance abuse, mental health, and sex offender treatment. For juveniles, the lack of available services includes access to quality legal representation, including public defender services, and lack of diversion and post- adjudication programs. There is also a lack of local training opportunities for juvenile justice professionals.

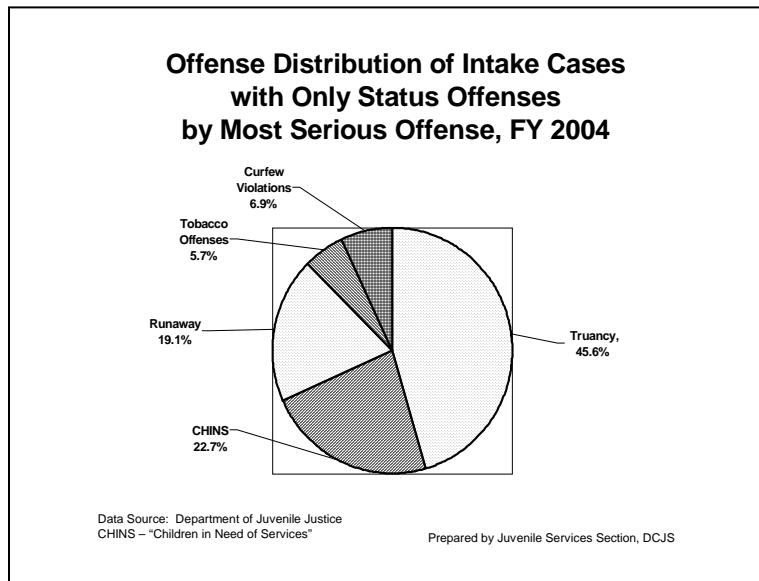
Because the tax base is generally smaller in small localities, they will not have the community resources that are available in larger, richer localities.

With the reduction in funding for the Virginia Juvenile Community Crime Control Act in FY 2003, there are fewer available community resources than when it was available.

²³. Waite, D., & Neff, J. (2004). *Profiles of Incarcerated Adolescents in Virginia's Correctional Facilities, Fiscal years 1999-2003*. Richmond, VA, Virginia Department of Juvenile Justice.

9. TRUANCY

Truancy has long been an issue in Virginia. In 1998, the legislature sought to address the issue of truancy by enacting a statute that requires a school system to develop an intervention plan for any student who is absent five days without parental knowledge. The legislation requires a series of planned steps involving the school and the family. When earlier steps fail, the final required step is filing a petition in the juvenile and domestic relations district court²⁴.



Truancy cases are impacting judicial workload and docket.

Our most recent data, for 2004, show that 45%²⁵ of all status intake cases reported truancy as the most serious offense. The number of intake cases for truancy has more than doubled over the five-year period, 1998-2004, undoubtedly at least partly in response to the legislative change. In 2004, almost 5,000 children were taken to intake for truancy. Sixty-nine percent of those were

petitioned to court as children in need of supervision.

Truancy can have long-term implications. For children aged 12-14, school attitude and performance are moderate predictors of later violent or serious delinquency²⁶. Most juveniles who are in juvenile correctional centers and thus are far into the juvenile justice system have little schooling. Over half of males committed in 2003 had completed only grade 6-8 and they read and write below that level²⁷.

Although the intent of the legislation is to hold children and their parents accountable for school attendance, the procedure varies widely among localities. Those localities that are approaching truancy in a multi-disciplinary fashion are having an impact on

²⁴ Code of Virginia, Ann., §22.1-258 and 16.1-260B

²⁵ This decrease from 50% in 2003 is due to the increase from 0 to 7% of percentage curfew violations (number increase from 1 in 2003 to 756 in 2004).

²⁶ Hawkins, J., Herrenkohl, T., Farrington, D., Brewer, D. Catalano, R., Harachi, T., & Cothorn, L. (2000). *Predictors of youth violence*. Juvenile Justice Bulletin. Washington, D.C.: U.S. department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

²⁷ Waite, D., & Neff, J. (2004). *Profiles of Incarcerated Adolescents in Virginia's Correctional Facilities, Fiscal years 1999-2003*. Richmond, VA, Virginia Department of Juvenile Justice.

the truancy problem. Other localities are not following the legislation requiring a series of planned steps involving the child, the school and the family before any petition to court.

Truancy is not just a problem of the child. A coordinated response among local community service providers is needed to respond to the individual and familial causes of truancy.

10. GANGS

When DCJS solicited input for this Three-Year Plan Update, gangs were identified as a problem by our sister agency, the Department of Juvenile Justice, and other community and juvenile justice professionals.

Although at this time there are no data available on the gang problem in Virginia, it is seen as a concern by enough members of the juvenile justice community and the public at large to warrant its inclusion in this year's Plan.

PROGRAM DESCRIPTIONS

Title: Alternatives to Detention

Standard Program Area: (02) Alternatives to Detention

Program Problem Statement:

In 2004, there were over 17,000²⁸ admissions to juvenile secure detention facilities in Virginia. This represents 10,926 children of whom about 2/3 were admitted once and the rest multiple times during the fiscal year. This is a decrease of about 6% over the 11,590 admitted in 2003. As in 2003, about one-third of admissions in 2004 were for technical violations – no new offense has been committed.

Under the Code of Virginia²⁹, juveniles may be detained primarily for reasons of public safety or safety to the juvenile, violations of probation or parole, or to ensure the juvenile's appearance in court. Although the detentions occurring in Virginia are allowable, there should be less restrictive alternatives that would both better serve the children and reduce detention costs³⁰.

In comparison to the 17,620 admissions to secure detention, there were less than 1,100 commitments to juvenile correctional centers. The criteria for admission to a secure detention facility are more stringent than for commitment to a DJJ juvenile correctional facility. Given this difference in commitment criteria, one would not expect such a large disparity between the number of children in secure detention and correctional facilities. It is known that detention is harmful for low-risk offenders³¹; it exposes them to delinquent peers and that exposure is a predictor of delinquency³². Given that, it is important to ensure that detention is used only when no less restrictive alternative exists.

²⁸ This represents a decrease from 2003. However, the method of counting has changed so that weekender admissions (there were 371 in 2004) are counted only once rather than each weekend.

²⁹ §16.1-248.1

³⁰ The average cost per day per child in Virginia was \$118, which computes to \$43,070 per year (data provided by Virginia Department of Juvenile Justice, July 12, 2004).

³¹ Bell, James. Presentation at the Virginia Department of Juvenile Justice Disproportionate Minority Contact conference, Crystal City, Virginia. June 28, 2004.

³² Hawkins, J., Herrenkohl, T., Farrington, D., Brewer, D. Catalano, R., Harachi, T., & Cothorn, L. (2000). Predictors of youth violence. *Juvenile Justice Bulletin*. Washington, D.C.: U.S. department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

The American Bar Association and the Mid-Atlantic Defender Center published a report about the legal representation of juveniles in Virginia³³ in 2002 that articulated inadequacies in the current system. According to the report, access to legal counsel and quality representation in delinquency proceedings is lacking in Virginia. It is believed that the inadequacies of representation contribute to unnecessary detentions.

Program Goals/Objectives/Performance Indicators/Activities:
--

Goal A: Reduce the numbers of juveniles in detention.

Objective: Use detention only for those juveniles for whom it is appropriate, for whom no lesser restrictive alternative exists.

Performance to Date: A bill was introduced and passed in the 2004 Virginia General Assembly session which was relevant to this issue. House Bill 600 required the appointment of an attorney for a child prior to an initial detention hearing unless an attorney had been retained for the child. It also provided for payment of the court-appointed attorney. The bill was to be effective July 1, 2005.

In the 2005 legislative session, HB2670 has been introduced to modify the provisions of HB600 so that only those youth charged with felony offenses could not waive representation by an attorney without consulting with an attorney.

With legislation that provides for counsel earlier in the process, it is expected that fewer juveniles will be detained predispositionally.

Goal B: Reduce the number of admissions to secure detention facilities for technical violations.

Objective 1: Determine why such a large percentage of admissions to secure detention facilities are for technical violations of probation or parole.

Performance to date:

The Virginia Department of Juvenile Justice (DJJ) is participating in the Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative. One expected impact of this initiative is to reduce the number of juveniles in detention for technical violations. To support this initiative, DCJS has awarded DJJ a Juvenile Accountability Block Grant to allow those pilot localities participating in the Casey initiative to provide alternatives to detention. This grant is designed to provide successful community models that can be implemented locally after the grant has terminated.

³³ American Bar Association Juvenile Justice Center & Mid-Atlantic Juvenile Defender Center (2002). *Virginia: An Assessment of access to counsel and quality of representation in delinquency proceedings*. Washington, D.C.: American Bar Association

Alternatives to detention has also been identified as one of the priority areas for Title II funding in the upcoming grant cycle for FY06.

In the 2005 fiscal year, 4 new grants were funded that provide local detention expeditors to search out alternatives to detention (Hampton, Loudoun, Norfolk, Newport News). An additional grant was provided to Roanoke that focuses on three target areas – alternatives to detention, truants, or children under aged 14.

New Goal C: Implement performance measures.

For alternatives to detention, output measures will be:

- ◆ Formula grant funds awarded for services
- ◆ Number of program youth served.

Outcome measures will be:

- ◆ Number and percent of program youth who offend or re-offend;
- ◆ Number and percent of program youth completing program requirements.

In Virginia, the subgrantees will be allowed to choose 2 electives from the non-mandated output and outcome measures lists provided by OJJDP and outlined on the DSG performance measures web site.

Budget:

Year	JJDP	State	Total
2003	\$0	\$0	\$0
2004	\$0	\$0	\$0
2005	\$497,600	\$0	\$497,600

Expected Number of Subgrants:

In FY 2006, the 5 grants made in 2005 will be eligible for continuation.

Title: Young Juvenile Offenders

Standard Program Area: (08) Deinstitutionalization of Status Offenders
and (29) Serious Crime

Program Problem Statement:

Young Juvenile Offenders

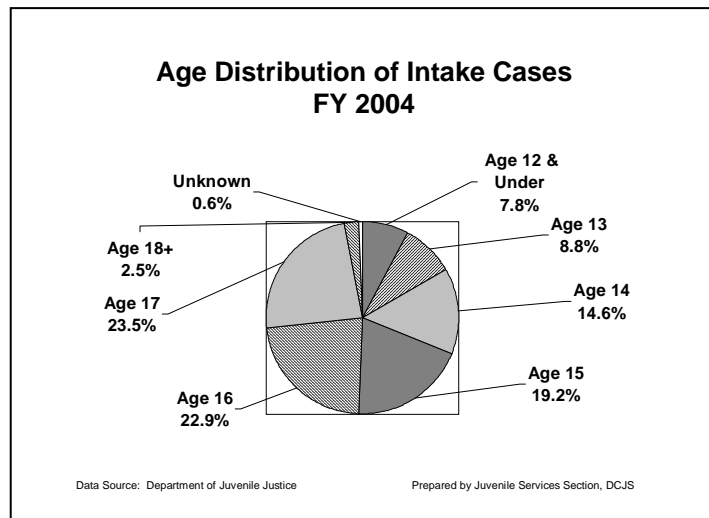
Research has shown that a juvenile offense at ages 6-11 is the strongest predictor of subsequent violent or serious delinquency even if the offense did not involve violence³⁴. It is the second strongest predictor for the age 12-14 group. The number of young children having contact with the juvenile justice system has been a concern to DCJS for several years.

As the graph shows, in Virginia about 17% of children brought to intake are aged 13 and under.

Recent Virginia data confirm the pattern of offenses at a young age leading to later more serious delinquency. Of children committed to the Department of Juvenile Justice in 2003, almost three-fourths (73.5%) were first adjudicated at age 14 or younger³⁵.

Since FY 2003, DCJS Title II Young Juvenile Offender grants have been designed to replicate model programs that have been demonstrated effective.

The young juvenile offender has been a funding priority for Title II grants since 2002 and resulted in the Young Juvenile Offenders Initiative which targets children aged 13 and younger. Six grants were funded beginning in 2002 and continue; five additional grants were funded in 2003, 11 continuation grants were funded in 2004 and will be eligible for continuation, contingent on federal funding.



³⁴ Hawkins, J., Herrenkohl, T., Farrington, D., Brewer, D., Catalano, R., Harachi, T., & Cothorn, L. (2000). *Predictors of youth violence*. Juvenile Justice Bulletin. Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

³⁵ Waite, D., & Neff, J. (2004). *Profiles of Incarcerated Adolescents in Virginia's Correctional Facilities, Fiscal years 1999-2003*. Richmond, VA, Virginia Department of Juvenile Justice.

A cross-site evaluation has been funded with the following measures for those children who have participated in the young juvenile offender grant programs: reduced re-offense rates including new intakes, petitions, and adjudications; reduced detention and commitment rates; improved school enrollment, attendance, behavior, and academic performance.

Goals/Objectives/Performance Indicators/Activities:
--

Goal A: Increase the capacity of state agencies and localities to accurately identify the needs of young offenders.

Objective 1: Collaborate with child-serving agencies, including the juvenile justice system to identify the needs of young offenders.

Objective 2: Improve access to sufficient services that effectively prevent the further penetration of young juvenile offenders into the juvenile justice system.

Performance to date:

In 2003, DCJS funded 5 first-year Young Juvenile Offender grants and 5 continuation grants were funded for a second term (their original term was 18 months).

Ten YJO grants were continued in 2004 for the 2005 fiscal year (York, Virginia Beach, Loudoun, Lynchburg, Charlottesville, Middle Peninsula, Richmond, Newport News, Fairfax, Wise). The evaluation grant was also continued.

New Goal B: Implement performance measures.

Output Measures for Deinstitutionalization of Status Offenders category

- ◆ Formula grants awarded for DSO
- ◆ Number of programs implemented
- ◆ Number of site visits conducted
- ◆ Number of program youth served

Outcome Measures for Deinstitutionalization of Status Offenders category

- ◆ Change in the number of DSO violations
- ◆ Number and percent of staff with increased knowledge of program area

Output Measures for the Serious Crime category

- ◆ Formula grants awarded for services
- ◆ Number of program youth served

Outcome Measures for the Serious Crime category

- ◆ Number of program youth who offend or re-offend
- ◆ Number of program youth completing program requirements

In Virginia, sub grantees will be allowed to choose 2 electives from the output measures list provided by OJJDP and outlined on the DSG performance measures website.

Budget (DSO):

Year	JJDP	State	Total
2003	\$611,400	\$0	\$611,400
2004	\$618,900	\$0	\$618,900
2005	\$277,000	\$0	\$277,000

Expected Number of Subgrants:

In fiscal year 2006, 11 young juvenile offender grants, including the evaluation grant, will be eligible for continuation. The evaluation of the Young Juvenile Offender initiative is being funded from the federal 2004 award.

Budget (Serious Crime):

Year	JJDP	State	Total
2003	\$611,400	\$0	\$611,400
2004	\$618,000	\$0	\$618,000
2005	\$277,000	\$0	\$277,000

Expected Number of Subgrants:

In fiscal year 2006, 11 young juvenile offender grants to localities will be eligible for continuation, including the evaluation grant which is being funded from the federal 2004 award.

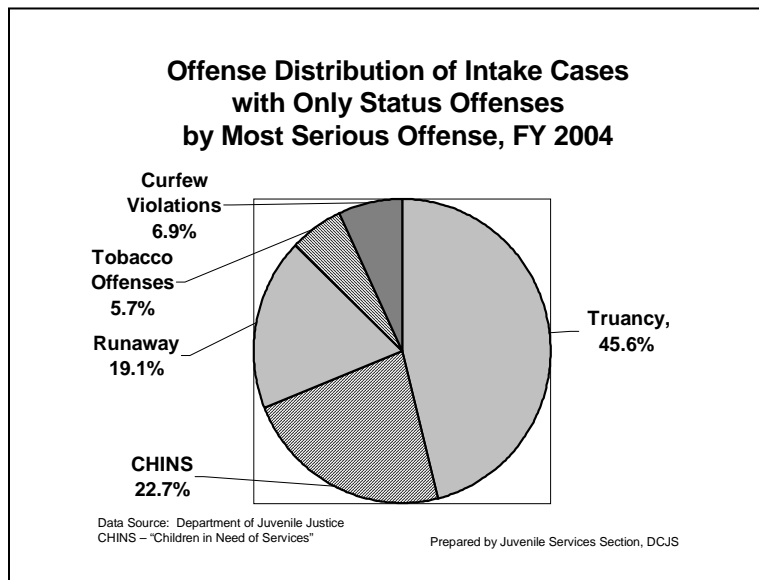
Title: Truancy

State Program Designator: Deinstitutionalization of Status Offenders

Program Problem Statement:

TRUANCY

Truancy has long been an issue in Virginia. In 1998, the Virginia legislature sought to address the issue of truancy by enacting a statute that requires a school system to develop an intervention plan for any student who is absent five days without parental knowledge. The legislation requires a series of planned steps involving the school and the family. When earlier steps fail, the final required step is filing a petition in the juvenile and domestic relations district court³⁶.



Truancy cases are impacting judicial workload and docket.

Our most recent data for 2004 show that 45% of all status intake cases reported truancy as the most serious offense. The number of intake cases for truancy has more than doubled over the period 1998-2004, undoubtedly at least partly in response to the legislative change. In 2004, almost 5,000 children were taken to intake for truancy. In 2004, 57% of those were petitioned

to court as children in need of supervision; that is a decrease from the 71% percent petitioned in 2003.

Truancy can have long-term implications. For children aged 12-14, school attitude and performance are moderate predictors of later violent or serious delinquency³⁷. Most juveniles who are in juvenile correctional centers and thus are far into the juvenile justice system have little schooling. Over half of males committed in 2003

³⁶ Code of Virginia, Ann., §22.1-258 and 16.1-260B

³⁷ Hawkins, J., Herrenkohl, T., Farrington, D., Brewer, D. Catalano, R., Harachi, T., & Cothorn, L. (2000). *Predictors of youth violence*. Juvenile Justice Bulletin. Washington, D.C.: U.S. department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

had completed only grade 6-8 and they read and write below that level³⁸.

Although the intent of the legislation is to hold children and their parents accountable for school attendance, the procedure varies widely among localities. Those localities that are approaching truancy in a multi-disciplinary fashion are having an impact on the truancy problem. Other localities are not following the legislation requiring a series of planned steps involving the child, the school and the family before any petition to court.

Goals/Objectives/Performance Indicators/Activities:
--

Goal A: Increase the capacity of localities to deal effectively with truant children and their families.

Objective 1: Improve access to services that address truancy effectively.

Performance to date:

In 2005, 4 truancy programs for court-involved youth were funded under Title II (Warren, Isle of Wight, Shenandoah, Richmond).

In 2004 and 2005, Challenge funds were used to provide training for members of a state truancy advisory board and coordination of statewide efforts to improve local truancy programs.

In 2005, some truancy programs were also funded under Title V.

New Goal B: Implement performance measures.

Output Measures

- ◆ Formula grants awarded for services
- ◆ Number of program youth served

Outcome Measures

- ◆ Number of program youth who offend or re-offend
- ◆ Number of program youth completing program requirements

In Virginia, sub grantees will be allowed to choose 2 electives from the non-mandated output and outcome measures lists provided by OJJDP and outlined on the DSG performance measures website.

³⁸ Waite, D., & Neff, J. (2004). *Profiles of Incarcerated Adolescents in Virginia's Correctional Facilities, Fiscal years 1999-2003*. Richmond, VA, Virginia Department of Juvenile Justice.

Budget :

Year	JJDP	State	Total
2003	\$0	\$0	\$0
2004	\$0	\$0	\$0
2005	\$227,000	\$0	\$227,000

Expected Number of Subgrants:

In fiscal year 2006, 4 Title II truancy programs will be eligible for continuation.

Title: Planning and Administration

Standard Program Area: (23) Planning and Administration

Program Problem Statement:

To improve the functioning and effectiveness of the juvenile justice system through research, planning, policy development, and funding of juvenile justice and delinquency prevention initiatives.

Program Goals/Objectives/Performance Indicators/Activities:

Goal A: Oversee, administer, and coordinate activities as they relate to the JJDP Act by monitoring compliance, administering grants, undertaking comprehensive, research-based planning, providing technical assistance and training, and providing program development.

Objective 1:

Ensure that Virginia continues to comply with all JJDP Act mandates and requirements and all federal administrative requirements.

Performance to Date:

- Virginia DCJS continues to comply with JJDP Act mandates and requirements. The Compliance Monitoring Report, the Title II Performance Update, the Three-Year Plan and the Annual Report have been submitted.
- The Compliance Monitor continues to perform on-site visits, monitor computerized reports, report violations, and assist localities to develop corrective action plans when appropriate.
- DCJS Juvenile Services section monitors grants and makes recommendations to the Advisory Committee on Juvenile Justice concerning appropriateness of continued funding, based on performance.
- During the 2004 legislative session, DCJS proposed a legislative amendment to eliminate language in the *Code of Virginia* that permitted a juvenile who is alleged to be a child in need of services to be placed in the temporary custody of the Department of Juvenile Justice for a 30-day diagnostic assessment. That legislation passed (Code of Virginia, §16.1-275).

Objective 2:

Maintain a financial assistance mechanism for grants to state agencies and general units of local government using federal JJDP Act funds.

Performance to Date:

- DCJS Grants Administration Section provides financial control of grant funds.

Objective 3:

Provide staff support services to the Secretary of Public Safety in his efforts to improve the juvenile justice system in Virginia.

Performance to Date:

- The DCJS Juvenile Services Section web site provides information about its grant programs, current initiatives, and access to Three-Year Plans, Annual Reports, juvenile justice system data, and its publications and reports.
- Juvenile Services Section responds to requests for Legislative Action Summaries during Virginia's legislative sessions.
- Juvenile Services staff undertakes overall policy analysis at least annually, based on data and constituent input.

Objective 4:

Maintain a comprehensive juvenile justice planning, data analysis, technical assistance, program development, and training capability.

Performance to Date:

- Presentations are made to the Advisory Committee on Juvenile Justice on all program funding proposals and priorities, proposed changes in process, and data concerning relevant and priority issues.
- Representatives of other state agencies are invited, annually, to present their ideas to the Advisory Committee on Juvenile Justice.
- Juvenile Services staff attends nationally sponsored conferences on juvenile justice research and juvenile justice issues.
- The Juvenile Justice Specialist attends meeting with other Specialists.
- Juvenile Services staff and consulting staff provide training to grantees about program development and evaluation.

Goal B: Work with the Executive Branch to appoint and support the State Advisory Group (SAG).

Objective 1: Provide administrative support to the SAG.

Performance to Date:

- Since the submission of the Three-Year Plan in March 2003, meetings of the SAG were held in April, June, September, and October of 2003 and in January, May, June, and October of 2004, and in January of 2005.

- The Title II Subcommittee met in November, 2004. It was empowered by the Advisory Committee on Juvenile Justice to act on its behalf with respect to grant recommendations.
- Annual Retreats were held in October, 2003 and October, 2004.

New Goal C: Implement performance measures.

Output Measures

- ◆ Formula grants awarded for planning and administration
- ◆ Number of sub grants awarded
- ◆ Number of SAG committee and subcommittee meetings staffed
- ◆ Number of planning activities conducted

Outcome Measures

- ◆ Number and percent of programs funded directly in line with the Three-Year Plan
- ◆ Number of formula grant funded programs sustained after 3 years
- ◆ Number and percent of formula grant programs evaluated

Budget:

Year	JJDP	State	Total
2003	\$139,200	\$139,200	\$278,400
2004	\$149,100	\$149,100	\$298,200
2005	\$145,400	\$145,400	\$290,800

Title: State Advisory Group

Standard Program Area: (31) State Advisory Group

Program Problem Statement:

The Virginia Advisory Committee on Juvenile Justice, is appointed by the Governor to advise the Governor, the Secretary of Public Safety, the Criminal Justice Services Board, DCJS, youth-serving agencies, and the public on matters relating to juvenile justice and delinquency prevention.

It also provides leadership in prioritizing efforts under the JJDP Act and funds allocated under the Juvenile Accountability Block Grants (JABG). The group represents a cross section of agency providers, private citizens, elected officials and youth. In addition, the committee reviews and recommends projects for funding from JJDP Act formula grants and JABG grants.

Program Goals/Objectives/Performance Indicators/Activities:

Goal A: To improve the prevention and treatment of juvenile delinquency in Virginia.

Objective 1: Improve the knowledge of needs, problems and solutions regarding the prevention and treatment of juvenile delinquency.

Performance to Date:

- The 2002 and 2003 Annual Reports of the JJDP Advisory Committee to the Governor, the Three-Year Plan, Three-Year Plan 2004 Update, topic-specific research reports, and fact sheets have been distributed and are available on the Juvenile Services web site at <http://www.dcjs.org/juvenile>.
- Three members of the Advisory Committee sit on the Criminal Justice Services Board. Another member is Virginia's representative to the federal Advisory Committee on Juvenile Justice.
- The Advisory Committee on Juvenile Justice currently has five subcommittees: Title II, Title V, JABG, Government Relations, and Disproportionate Minority Contact.
- The Advisory Committee, in partnership with DCJS, cosponsors the annual juvenile justice and delinquency prevention conference.
- The Chair of the Advisory Committee or his designate attends the annual meeting of the Coalition for Juvenile Justice.

Objective 2: Ensure the development of new programs across the Commonwealth that address priority needs.

Performance to Date:

- The ACJJ has Title II, Title V, and JABG Subcommittees.
- A list of priority problems and needs, based on data analysis, was developed for the Three-Year Plan and was reviewed and determined to be current for the 2004 Update. For the 2005 Update, with data and input from constituents, priorities were reassessed and are as specified in the priority problem statements.
- The ACJJ approved the priority needs for juvenile justice grant funds at its October, 2003 and October, 2004 retreats.
- The ACJJ reviews and make recommendations on all JJDP Act and JABG program grant applications prior to final approval by the Criminal Justice Services Board.

Objective 3: Work toward a solution of the imbalance of service availability throughout the Commonwealth.

Performance to Date:

- State agencies were invited to make presentations at the Annual Retreats of the Advisory Committee held in October, 2003 and October, 2004.
- The One-Time Special Fund program was offered again in 2003.
- The concept paper model has been extended to include Title V, Title II, and JABG grant applications. This makes our grants more accessible to localities who do not employ grant writers which typically includes rural or underserved areas.
- Adjacent localities are encouraged to join together to make a grant application if a regional project would better meet their needs.

Objective 4: Improve the legal processing of juveniles in Virginia.

Performance to Date:

- The Advisory Committee has made this a priority area for 2003-2005. Challenge funds are being used to coordinate training with the Indigent Defense Commission.

Goal B:

Ensure Virginia's compliance with the core requirements of the Juvenile Justice and Delinquency Prevention Act.

Performance to Date:

- The Advisory Committee monitors statistical, programmatic and compliance information and reports on an annual basis through the Compliance Monitoring Report, the Advisory Committee on Juvenile Justice Annual Report and the Three-Year Plan and Updates.
- The Advisory Committee certifies local compliance for Title V grant eligibility.

(See the Compliance Monitoring Plan, and the Disproportionate Minority Representation Plan for details of the Commonwealth's strategies and procedures for ensuring compliance with the core requirements of the Act.)

New Goal C:

Implement performance measures

Output Measures

- ◆ Number of grants funded with formula grant funds
- ◆ Number of grant applications reviewed and commented on
- ◆ Number of SAG committee meetings held
- ◆ Number of SAG subcommittee meetings held

Outcome Measures

- ◆ Number and percent of plan recommendations implemented
- ◆ Number of FG-funded programs sustained after 3 years
- ◆ Number and percent of SAG members show increased knowledge of their program areas (for which they have oversight)

Budget:

Year	JJDP	State	Total
2003	\$30,000	\$0	\$30,000
2004	\$30,000	\$0	\$30,000
2005	\$30,000	\$0	\$30,000

Expected Number of Subgrants:

Not applicable.